

**AMENDMENTS TO THE CLAIMS**

This listing of claims replaces all prior versions and listings of claims in the application.

**Listing of Claims:**

1. (Previously Presented) A path predicting method for a contents delivery apparatus for temporarily storing contents which is preliminarily reserved into a contents storage and delivering the contents from one of a plurality of radio base stations to a mobile terminal of which geometric position changes, comprising:

a first step of calculating a plurality of paths each extending from a start point as a present location to a finish point as a destination via one of the radio base stations;

a second step of selecting a radio base station from one of the radio base stations which is on the calculated path and is determined as a contents delivery base station;

a third step of calculating grace time for the mobile terminal to pass through the contents delivery base station and calculating scheduled time to deliver the reserved contents to the mobile terminal based on the calculated grace time; and

a fourth step of determining whether the mobile terminal is off the path to the contents delivery base station or not,

wherein the first to third steps are executed recursively in accordance with the determination that the mobile terminal is off the path in the fourth step, otherwise, the contents are delivered to the mobile terminal via the contents delivery base station in accordance with results obtained in the second and third steps.

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2. (Previously Presented) The path predicting method for a contents delivery apparatus according to claim 1, wherein the first step includes a fifth step of identifying the base stations in a circle including the start point and the finish point.

3. (Previously Presented) The path predicting method for a contents delivery apparatus according to claim 2, wherein the first step further includes a sixth step of selecting a predetermined number of paths in order from a shortest path extending via one of the identified base stations.

4. (Previously Presented) The path predicting method for a contents delivery apparatus according to claim 1, wherein in the first step, a path extending via the radio base stations is calculated as a plurality of paths each extending from the start point to the finish point via each of the radio base stations.

5. (Previously Presented) The path predicting method for a contents delivery apparatus according to claim 1, wherein in the first step, a path extending via the radio base stations is calculated as one path extending from the start point to the finish point via the radio base stations.

6. (Currently Amended) The path predicting method for a contents delivery apparatus according to claim 1, wherein in the second step, aone of said radio base ~~station~~stations which is

on the calculated path and of which distance from the start point is the shortest is selected as said contents delivery base station.

7. (Previously Presented) The path predicting method for a contents delivery apparatus according to claim 1, wherein in the third step, an average speed on an ordinary road and one on a highway which are prepared are used to calculate said grace time.

8. (Previously Presented) The path predicting method for a contents delivery apparatus according to claim 7, wherein in the third step, a travel speed of the mobile terminal which is calculated on the basis of actual travel information of the mobile terminal is also used to calculate said scheduled time.

9. (Previously Presented) The path predicting method for a contents delivery apparatus according to claim 1, wherein in the third step, traffic information is used to calculate said scheduled time.

10. (Original) The path predicting method for a contents delivery apparatus according to claim 1, wherein in the fourth step, whether the mobile terminal is off the path or not is determined on the basis of a present location of the mobile terminal and a distance to the contents delivery base station.

11. (Previously Presented) The path predicting method for a contents delivery apparatus according to claim 10, wherein in the fourth step, when the present position of the mobile terminal and the distance to the contents delivery base station exceed allowable values for longer than an allowable time, it is determined that the mobile terminal is off the path.

12. (Original) The path predicting method for a contents delivery apparatus according to claim 1, wherein in the fourth step, when the mobile terminal does not pass through the contents delivery base station even after lapse of predetermined time since the scheduled time calculated in the third step, it is regarded that the mobile terminal is off the path to the contents delivery base station.

13. (Original) The path predicting method for a contents delivery apparatus according to claim 1, further comprising a seventh step of, when the distance between the contents delivery base station and the mobile terminal becomes equal to or less than a predetermined value, delivering the contents temporarily stored in the contents storage to the mobile terminal via the contents delivery base station.

14. (Original) The path predicting method for a contents delivery apparatus according to claim 1, further comprising an eighth step of delivering the contents temporarily stored in the contents storage to the mobile terminal via the contents delivery base station by polling between the contents delivery base station and the mobile terminal.